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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
| 08/784,464 | 01/16/97 | BARTH | R 73305.P019C3 |

BLAKELY SOKOLOFF TAYLOR &
ZAFMAN
12400 WILSHIRE BLVD
SEVENTH FLOOR
LOS ANGELES CA 90025

B3M1/0611

EXAMINER

BARRY, L

ART UNIT

PAPER NUMBER

2317

DATE MAILED:

06/11/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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NOTICE OF ALLOWANCE AND ISSUE FEE DUE

EGM1/0611

BLAKELY SOKOLOFF TAYLOR &
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| APPLICATION NO. | FILING DATE | TOTAL CLAIMS | EXAMINER AND GROUP ART UNIT | DATE MAILED |
|-----------------------|-------------|--------------|-----------------------------|---------------|
| 08/784,464 | 01/16/97 | 011 | BARRY, L | 2317 06/11/97 |
| First Named Applicant | BARTH. | RICHARD M. | | |

TITLE OF INVENTION METHOD OF TRANSFERRING DATA BY TRANSMITTING LOWER ORDER AND UPPER ORDER MEMORY ADDRESS BITS IN SEPARATE WORDS WITH RESPECTIVE OP CODES AND START INFORMATION

| ATTY'S DOCKET NO. | CLASS-SUBCLASS | BATCH NO. | APPLN. TYPE | SMALL ENTITY | FEE DUE | DATE DUE |
|-------------------|----------------|-------------|-------------|--------------|-----------|----------|
| 2 | 73305.P019C3 | 395-823.000 | 010 UTILITY | NO | \$1290.00 | 09/11/97 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

- I. Review the SMALL ENTITY status shown above.
If the SMALL ENTITY is shown as yes, verify your current SMALL ENTITY status:
 - A. If the status is changed, pay twice the amount of the FEE DUE shown and notify the Patent and Trademark Office of the change in status, or
 - B. If the status is the same, pay the FEE DUE shown above.
- If the SMALL ENTITY is shown as NO:
 - A. Pay FEE DUE shown above, or
 - B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.
- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "6b" of Part B should be completed.
- III. All communications regarding this application must give application number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Patents Issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

LM21/0331

BLAKELY SOKOLOFF TAYLOR &
ZAFMAN
12400 WILSHIRE BLVD
SEVENTH FLOOR
LOS ANGELES CA 90025

| APPLICATION NO. | FILING DATE | TOTAL CLAIMS | EXAMINER AND GROUP ART UNIT | DATE MAILED |
|---|-------------|--------------|-----------------------------|-------------|
| 08/784,464 | 01/16/97 | 011 | BARRY, L 2756 | 06/11/97 |
| First Named Applicant BARTH, RICHARD M. | | | | |

TITLE OF INVENTION METHOD OF TRANSFERRING DATA BY TRANSMITTING LOWER ORDER AND UPPER ORDER MEMORY ADDRESS BITS IN SEPARATE WORDS WITH RESPECTIVE OF CODES AND START INFORMATION (AS AMENDED)

| ATTY'S DOCKET NO. | CLASS-SUBCLASS | BATCH NO. | APPLN. TYPE | SMALL ENTITY | FEE DUE | DATE DUE |
|-------------------|----------------|-----------|-------------|--------------|-----------|----------|
| 2 73305.P019C3 | 395-823.000 | 010 | UTILITY | NO | \$1320.00 | 09/11/97 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PATENT AND TRADEMARK OFFICE COPY

Notice of AllowabilityApplication No.
08/748,464Applicant(s)
Barth et al.

#13/G

Examiner
Lance Leonard Barry, Esq.Group Art Unit
2317

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to amendment of 1/16/97

☒ The allowed claim(s) is/are 1-3 and 7-14

☐ The drawings filed on _____ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☒ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 4

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 8.5

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

LANCE LEONARD BARRY, ESQ.
PRIMARY EXAMINER

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Part III EXAMINER'S AMENDMENT AND REASONS FOR ALLOWANCE

1. An application may be required to be restricted to one of a plurality of claimed invention if the claimed inventions are able to support separate patents and are either independent or distinct. M.P.E.P. § 803. Restriction to one of the following inventions has been required under § 803.

· Invention I (claims 1-3 and 7-14), which is drawn to transferring address data, is classified in Class 395, subclass 823.

· Invention II (claims 4-6), which is drawn to transferred data counting, is classified in Class 395, subclass 854.

2. These inventions are able to support separate patents and are either independent or distinct for the following reasons. Inventions I and II are related as AB_{br} and B_{sp} . Inventions in this relation are distinct if it can be shown that (1) AB_{br} as claimed does not require the particulars of B_{sp} as claimed for patentability, and (2) that B_{sp} has utility by itself or in other combinations. M.P.E.P. § 806.05(c). In the instant case, AB_{br} as claimed does not require the particulars of B_{sp} as claimed because a method of transferring a packet of data by transmitting start information, memory address bits, and op code information is patentable regardless of whether count information is also transmitted. B_{sp} , moreover, has the separate utility of minimizing the number of crossings of spatial regions delineated by receiver means and minimize the length of wiring.

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3. These plurality of inventions are distinct and have acquired a separate status in the art because of their divergent subject matter as evidenced by their different treatment and classification, *supra*. In addition, the search for any one of the inventions is not required for the others. Restriction for examination purposes as indicated, therefore, is proper.

5 4. In a voicemail message on May 19, 1997, Roland Cortes provisionally elected without traverse to prosecute Invention I (claims 1-3 and 7-14). Affirmation of this election must be made by applicant in responding to this Office action.

10 5. Claims to inventions not elected are withdrawn from further consideration by the Patent Examiner by the election. 37 C.F.R. § 1.142(b). In this case, claims 4-6 have been withdrawn from further consideration as being drawn to a non-elected invention. The applicant may cancel these claims. Upon the cancellation of claims drawn to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. § 1.48(b) if one
15 or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. § 1.48(b) and by the fee required under 37 C.F.R. § 1.17(h).

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6. An Examiner's Amendment to the record appears below. Should the change be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee. Authorization for this Examiner's Amendment was given in a telephone interview with Roland B. Cortes on June 5, 1997.

✓
Cancel claims 4-6 as being directed to a non-elected invention.

7. The following is an Examiner's Statement of Reasons for Allowance. The prior art of record fails to disclose or render obvious a method of transferring a packet of data by first transmitting start information, lower order memory address bits, and first op code information in a first word and then transmitting second and third op code information and upper order memory address bits in a second word wherein these components are transmitted over specific buses and lines of the bus as in claim 1, for example. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. All general inquiries including those relating to the status of patent applications and the receipt of mailings should be directed to the receptionist of Group 2300 whose telephone

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number is (703) 305-9600. An inquiry concerning this or an earlier communication from the Primary Examiner may be directed to him via extension 9654. His facsimile number is (703) 308-5359.



Lance Leonard Barry, Esq.
Patent Examiner
Group 2300